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June 24, 2008

The Honorable Anne K Quinlan, Esq  
Acting Secretary  
Surface Transportation Board  
Office of the Secretary  
395 E Street, S W  
Washington, D C 20423-0001

AB 33 Sub 251X

**FILE FEE WAIVED**

Dear Ms Quinlan,

Please find attached a Statement of Willingness to Assume Financial Responsibility in the above entitled matter currently before the Surface Transportation Board. The City of Madison has agreed to assume all financial responsibility replacing entirely any responsibility previously assumed by the Wisconsin Department of Natural Resources (WisDNR)

The negotiating period is currently open until November 12, 2008, but an agreement is expected within two months

I have served a copy of the new Statement of Willingness upon the Union Pacific Railroad and WisDNR.

Thank you,

*Kathleen Chung*  
Attorney Kathleen Chung  
Wisconsin Department of Transportation  
4802 Sheboygan Av  
P O Box 7910  
Madison, WI 53707-7910  
(608) 266-8810  
[kathleen\\_chung@dot.state.wi.us](mailto:kathleen_chung@dot.state.wi.us)

BEFORE THE SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY  
ABANDONMENT EXEMPTION IN DANE COUNTY

STATEMENT OF WINNINGNESS TO ACCEPT RESPONSIBILITY BY  
THE CITY OF MADISON, WISCONSIN  
PURSUANT TO 49 CFR 1152.29

In order to establish interim trail use and rail banking under 16 USC 1247(d) and 49 CFR 1152.29, the City of Madison, Wisconsin (City), is willing to assume full responsibility for management of the property it acquires from the present owner, Union Pacific Railroad Company. Upon acquisition, the City is willing to assume full responsibility for its operations on the property and for the payment of any taxes or assessment that thereafter may be lawfully levied against it. The segment for which the City is making this Statement of Willingness is the following portion of rail line:

Central Soya Line, Harvard Subdivision, between Mile Post 85.5 Beltline in the City of Madison, Wisconsin and end of track at Mile Post 89.9 in the City of Fitchburg, Wisconsin, a distance of 4.4 miles in Dane County, Wisconsin

A map depicting the property to be acquired by the City is attached to this pleading as Exhibit "1".

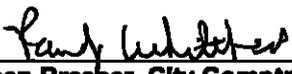
The City acknowledges that use of the property is subject to the City continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the property for rail service. A copy of this statement is being served on the railroad, Union Pacific Railroad Company, on the same date it is being served on the Surface Transportation Board.

CITY OF MADISON, WISCONSIN  
a municipal corporation

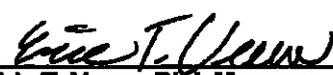
By:   
David J. Cieslewicz, Mayor

Date: 5.31.08

Approved

  
for Dean Brasser, City Comptroller

Date: 5-29-08

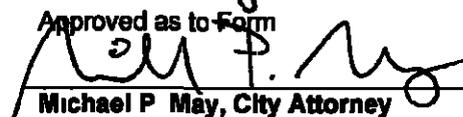
  
Eric T. Veum, Risk Manager

Date: 5/28/08

By:   
Maribeth Witzel-Behl, City Clerk

Date: May 22, 2008

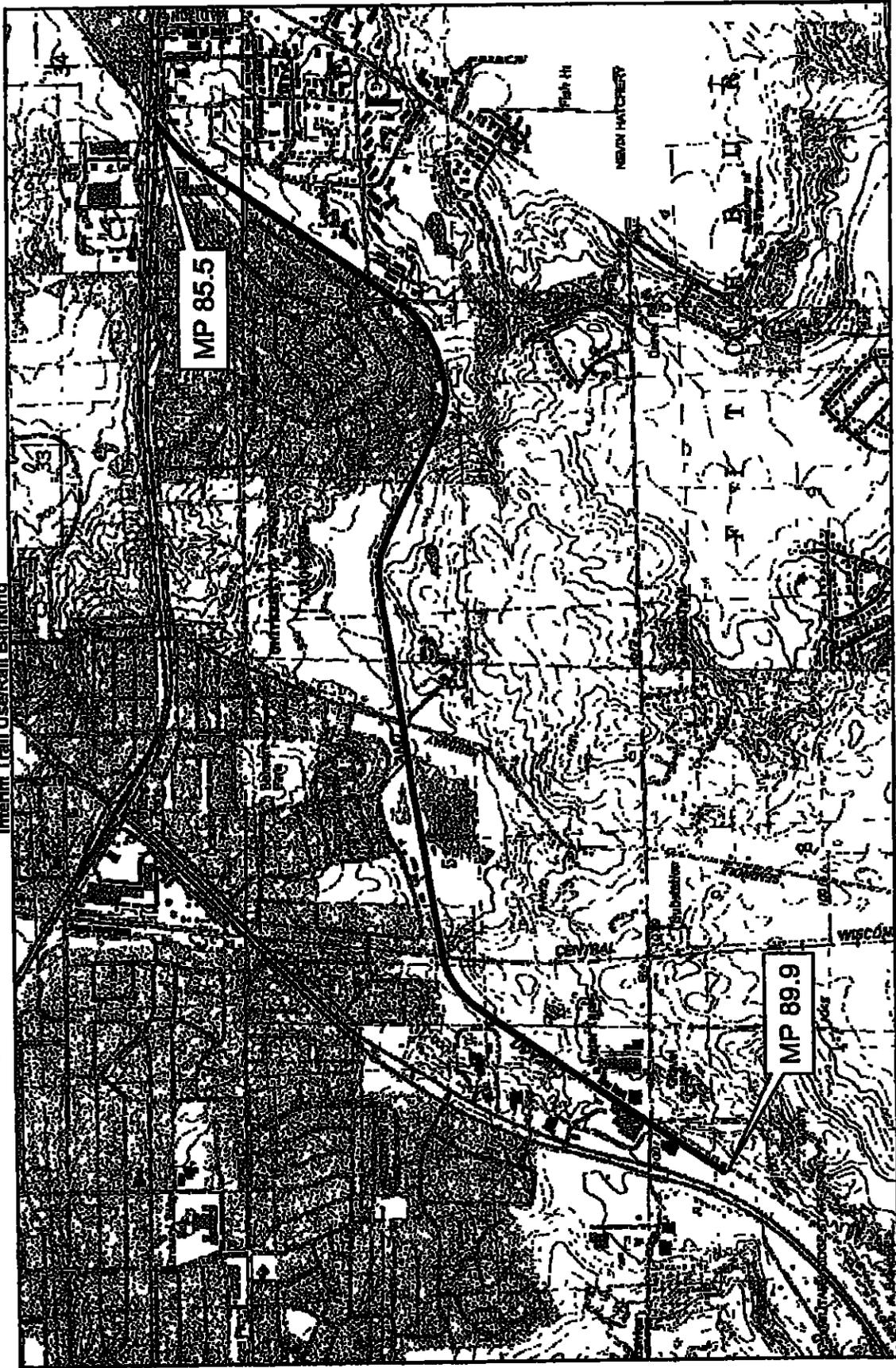
Approved as to Form

  
Michael P. May, City Attorney

Date: 30 May 2008

# EXHIBIT 1

Interim Trail Use/Rail Banking



— SUBJECT



**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing Request for Extension of the negotiating period in regards to AB33 251X, by electronic mail, pursuant to 49 C.F.R. §1104.12, by electronic mail, this 21<sup>st</sup> day of May 2008, on all parties of record on the service list

*Kathleen Chung*

Kathleen Chung, Attorney  
State Bar no 1032802  
Wisconsin Department of Transportation  
Office of General Counsel